(3)

BEFORE THE HON'BLE HIGH COURT OF CHHATTISGARH AT BILASPUR (C.G.)

Single Bench

WRIT PETITION NO. 1142/2006

PETITIONER

The State of Chhattisgarh, through – the Divisional Forest Officer (General), Dhamtari, Chhattisgarh)

VERSUS

RESPONDENT

1. Kalyan Singh Sahu, son of Shri Parasram Sahu, resident of village and post Devpur, Tah. Nagri, District Dhamtari (C.G.)

2. Presiding Officer, under the Industrial Dispute Act, Labour Court, Raipur (C.G.)

P.R. No. 12136 Presented by Shri D.K. Shukla dated 4/12/06

WRIT PETITION U/A. 226/227 OF THE CONSTITUTION OF INDIA

(20)

HIGH COURT OF CHHATTISGARH AT BILASPUR
Writ Petition No. 1142 of 2006

Petitioner : The State of Chhattisgarh

Versus

Respondents : Kalyan Singh Sahu and another

Single Bench: Hon'ble Mr. Justice **Satish K. Agnihotri**.

Shri A.S. Kachhawaha, Government Advocate for the petitioner.
None for the respondent No. 1.

ORAL ORDER
(25th March, 2006)

1. The respondent No. 1 was appointed on 15.6.1988 as daily wages worker and was working as Chowkidar. The services of the respondent No. 1 was discontinued by order dated 23.5.2001.

2. Being aggrieved, the dispute was raised before the Deputy Labour Commissioner, Raipur. The Deputy Labour Commissioner by order dated 23.3.2002 referred the matter to the Labour Court, Raipur under Section 10 of the Industrial Disputes Act, 1947 on the following question :-

> "Whether the termination of the services in respect of Shri Kalyan Sahu is legal and proper? If, not, what relief, he is entitled for and what directions can be given to the non-applicant in this regard?

3. The Labour Court, after having examined all documents and after hearing both the parties and came to the conclusion that no legal proceedings were followed before the termination of the services of the respondent No. 1.

(21)

4. Accordingly, the Labour Court, by order dated 14.7.2004 (Annexure P/1) passed the award, directing reinstatement of the services within a period of two months with 25% back wages.

5. On query, learned counsel for the petitioner is not in position to point out as to what is the perversity or infirmity in the impugned order. I have gone through the impugned order and I have not found any perversity. The order is based on sufficient evidence, after applying proper law. Interference with the impugned order is not called in exercise of extraordinary jurisdiction of this Court under Article 226/227 of the Constitution of India.

6. For the reasons stated above, the petition is dismissed with costs. The costs is quantified at Rs. 1000/-.

Sd/-
Satish K. Agnihotri
Judge

Bablu